

REMARKS

This paper is responsive to the Office Action dated April 29, 2009. All rejections and objections of the Examiner are respectfully traversed.

Reconsideration and further examination are respectfully requested.

The present claim amendments are intended to clarify and more precisely claim the present invention. Support for the present claim amendments is found throughout the Specification as originally filed. For example, support for the present claim amendments is found in reference numbers 502 and 504 in Fig. 20, and from line 6 on page 29 through line 5 on page 31 in the Specification. With reference to Fig. 20, the “graphical representation of whether said remote computer system user is currently available for an instant messaging communication session” is supported, for example, by the square or diamond shapes of the status icons. The “additional visual indication that said updated status message associated with said remote computer system user is available for viewing” is supported, for example, by the word “NEW” that is added to the status icons 502 and 504.

No new matter has been added.

Claims 2-6, 8-10 and 33-42 stand rejected for indefiniteness under 35 U.S.C. 112, second paragraph. Amendments to the claims herein are respectfully believed to meet all requirements in this regard.

Claims 3-5 and 8 stand rejected for obviousness under 35 U.S.C. 103, based on the combination of United States patents 7,185,290 ("Cadiz") and 7,185,290 ("Canfield"). Applicants respectfully traverse these rejections.

As previously noted, Cadiz discloses a system for providing peripheral awareness of information to a user that may be determined automatically, or specified by the user. The

information provided by Cadiz is automatically tracked and provided in an interactive peripheral display to the user. Cadiz determines or specifies, tracks or watches, and provides the information using a customizable dynamic encapsulated object, a "ticket," that when paired with a "viewer," provides peripheral awareness of information to the user, and that are sharable among users, and may be copied, cut, pasted, saved, transmitted, dragged and dropped from web pages, etc., like any other electronic file using conventional techniques.

Canfield discloses a user interface that enables user perception of information regarding a communications session and that leverages an instant messaging platform. The user interface of Canfield includes an instant messaging application user interface and one or more tear-off elements corresponding to ongoing instant messaging communications sessions. Each tear-off element in Canfield is configured to enable perception and selection by a user of a corresponding instant messaging communications session.

Nothing in the combination of Cardiz and Canfield is there disclosed or suggested a computer implemented method of providing, by an awareness client application process executing on a local computer system having at least one processor and a computer readable memory, a local user of said local computer system with updated status information regarding at least one remote user, comprising:

- obtaining, from an associated awareness server application process executing on a server computer system, an online status of said remote computer system user;

- presenting a representation of said remote computer system user, wherein said representation of said remote computer system user includes an online status icon associated with said remote computer system user, wherein said online status icon of said remote computer system user includes a graphical representation of whether said remote computer system user is currently available for an instant messaging communication session;

- obtaining an updated status message associated with said remote computer system user, wherein said updated status message includes personal detail information and

activity information regarding said remote computer system user other than said online status of said remote computer system user; and

***modifying said online status icon associated with said remote computer system user to further include an additional visual indication that said updated status message associated with said remote computer system user is available for viewing by said local user of said local computer system, wherein said additional visual indication is separate and visually independent from said graphical representation of whether said remote computer system user is currently available for an instant messaging communication session also included in said online status icon, and wherein said modifying comprises superimposing said additional visual indication over at least a portion of said online status icon without presenting any contents of said updated status message to said local user of said local computer system.*** (emphasis added)

as in the present independent claim 4. In contrast, the combination of Cadiz and Canfield results in a system in which the availability of a remote user is represented by a visual representation of the remote user that shows a social state of the remote user (Cadiz), and a status indicator in a tear off message indicating whether a message is pending within an instant messaging session (Canfield). In column 19 and 20, Cadiz discloses that when a ticket has new information, that *information* can be represented using special colors, types, or brightness levels. This stands in contrast to the features of the present independent claim 1 highlighted above, which modify an icon to provide an additional *visual indication that an updated status message is available without presenting the contents of the status message*. Accordingly, by *superimposing* an additional visual indication that is *separate and visually independent from said graphical representation of whether said remote computer system user is currently available for an instant messaging communication session also included in said online status icon*, the presently claimed system advantageously provides a local user with an indication that the updated status message in an efficient way, without displaying information from the updated status message that would potentially clutter the display. This enables the local user to continue to view the graphical representation of whether the remote computer user is currently available

for an instant messaging session included in the icon, while conveniently providing notification that the updated status message is available. This stands in contrast particularly with regard to the modification of the *new information* disclosed in Cadiz, which like Canfield does not disclose or suggest *modifying said online status icon associated with said remote computer system user to further include an additional visual indication that said updated status message associated with said remote computer system user is available for viewing by said local user of said local computer system, wherein said additional visual indication is separate and visually independent from said graphical representation of whether said remote computer system user is currently available for an instant messaging communication session also included in said online status icon, and wherein said modifying comprises superimposing said additional visual indication over at least a portion of said online status icon without presenting any contents of said updated status message to said local user of said local computer system*, as in the present independent claim 1.

As to independent claim 33, it should also be apparent from the above that the combination of Cadiz and Canfield also does not disclose or suggest a system that includes *program code for modifying said online status icon associated with said remote computer system user to further include an additional visual indication that said updated status message associated with said remote computer system user is available for viewing by said local user of said local computer system, wherein said additional visual indication is separate and visually independent from said graphical representation of whether said remote computer system user is currently available for an instant messaging communication session also included in said online status icon, and wherein said modifying comprises superimposing said additional visual indication over at least a portion of said online status icon without presenting any contents of*

*said updated status message to said local user of said local computer system, as in the present independent claim 33.*

As to independent claim 41, it should additionally be apparent from the above that the combination of Cadiz and Canfield also does not disclose or suggest a computer program product that includes *program code for modifying said online status icon associated with said remote computer system user to further include an additional visual indication that said updated status message associated with said remote computer system user is available for viewing by said local user of said local computer system, wherein said additional visual indication is separate and visually independent from said graphical representation of whether said remote computer system user is currently available for an instant messaging communication session also included in said online status icon, and wherein said modifying comprises superimposing said additional visual indication over at least a portion of said online status icon without presenting any contents of said updated status message to said local user of said local computer system, as in the present independent claim 41.*

For the above reasons, Applicants respectfully urge that the Examiner has not established a *prima facie* case of obviousness under 35 U.S.C. 103 with regard to the present independent claims. As to claims 3, 5, 35 and 36, they each depend from independent claims 4 and 33, and are respectfully believed to be patentable over the combination of Cadiz and Canfield for at least the same reasons.

The dependent claims stand rejected for obviousness under 35 U.S.C. 103 based on combinations of Cadiz and Canfield with United States patent publication 2004/0183829 (“Kontny”), United States patent 7,149,961 (“Harville”) and United States patent 6,697,840 (“Godefroid”). As discussed in detail above, the combination of Cadiz and Canfield does not

disclose or suggest all the features of independent claims. The combination of Kontny, Harville, and/or Godefroid with Cadiz and Canfield does not remedy the above described shortcomings in the teachings of Cadiz and Canfield with regard to independent claim 4, since neither Kontny, Harville nor Godefroid discloses or suggests *modifying said online status icon associated with said remote computer system user to further include an additional visual indication that said updated status message associated with said remote computer system user is available for viewing by said local user of said local computer system, wherein said additional visual indication is separate and visually independent from said graphical representation of whether said remote computer system user is currently available for an instant messaging communication session also included in said online status icon, and wherein said modifying comprises superimposing said additional visual indication over at least a portion of said online status icon without presenting any contents of said updated status message to said local user of said local computer system.*

For the above reasons Applicants respectfully urge that the combinations of Kontny, Harville and/or Godefroid with Cadiz and Canfield fail to support a *prima facie* case of obviousness with regard to the present independent claims, and the dependent claims are respectfully believed to be patentable over the cited combinations for at least the same reasons.

Reconsideration of all remaining claims is respectfully requested.

Applicants have cancelled claims and amended claims. Applicants are not conceding in this application that unamended claims are not patentable over the art cited by the Examiner, as the present claim amendments are only for facilitating expeditious prosecution of allowable subject matter. Applicants respectfully reserve the right to pursue the unamended claims in one or more continuations and/or divisional patent applications.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

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Date

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